



Hundredth Legislature - First Session - 2007
Committee Statement
LB 30

Hearing Date: February 20, 2007
Committee On: Education

Introducer(s): (Hudkins)

Title: Provide for reorganization of certain Class I and Class VI school districts

Roll Call Vote – Final Committee Action:

Advanced to General File

Advanced to General File with Amendments

X Indefinitely Postponed

Vote Results:

8	Yes	Senators Adams, Ashford, Avery, Burling, Howard, Johnson, Kopplin, and Raikes
0	No	
0	Present, not voting	
0	Absent	

Proponents:

Senator Carol Hudkins
Ed Swotek
Rob Robertson
Chuck Porter

Representing:

Introducer
Oak Valley School
Nebraska Farm Bureau
Unadilla Community School

Opponents:

Shaun Jensen
Dave Melick
Scott J. Norby
Gene Neddenriep

Representing:

Holdrege Public Schools
Madison Public Schools
Nebraska State Education Association
Malcolm Public Schools / Alliance of K-12 Schools
Plattsmouth Community Schools

Robert Priebe

Neutral:

George Lauby
John F. Recknor
Galen Kehrli

Representing:

Nebraskans for Local Schools
Class I's United
Schuyler Community Schools

Summary of purpose and/or changes:

Class I and Class VI district restoration:

LB 30 would immediately restore Class I and Class VI school districts and boards as they existed on November 30, 2005.

The district would be required to hold a special election within two months to determine whether the district should remain organized as a Class I or Class VI district. If the vote is successful the district would be restored all property, assets, and liabilities as existed on November 30, 2005. Any teachers, administrators or staff employed with the former Class I or Class VI would have first opportunity for re-employment at the previous salary level.

Such districts would be eligible for state aid based upon the average daily membership of the district based on the most recent available data year on November 30, 2005.

If a majority vote to dissolve the school district, the district property, assets and liabilities would be distributed in the same manner as provided in the orders issued by the State Committee for the Reorganization of School Districts on December 1, 2005.

Community School and Operating Council:

Any elementary attendance center may be designated as a **community school** through the formation of an **operating council**. A class II, III, IV, or V school district would be required to hold an operating council organizational meeting with sixty days after receiving a request. School boards would be required to establish procedures for the formation of operating councils and once formed operating councils would determine the timing and procedures for selecting successor members. Each operating council would be composed of not less than three and not more than six members. Operating councils would be advisory to the board and administration and would propose and submit a budget and one or more members would interview and recommend staff for the community school. The superintendent would be required to provide each operating council with a copy of public information provided by the school district staff regarding the budget and staffing decisions for the community school and proposed policy changes affecting the community school. The principal of a community school would be required to provide the opportunity to meet with the council at least once a month.

Elementary Attendance Center Protections from Closure:

- 1) School districts would not be allowed to take action to close elementary attendance centers or to change the grades offered if;
 - a) The closing of the elementary or changing of grades would cause at least one resident elementary student to reside **more than twenty miles** from the nearest elementary attendance center in the district; and
 - b) A parent or guardian of such student has provided written notice on or before May 1 of the school year preceding the first school year in which the elementary attendance center would be closed.
- 2) OR if;
 - a) The fall membership of the elementary attendance center preceding the first school year if at least **ten students** who were either resident students, students residing within the boundaries of a former Class I district; and
 - b) Either;

- (i) The elementary attendance center is **at least ten miles** from the closest elementary attendance center within the district; **or**
 - (ii) The elementary attendance center is the only elementary attendance center located within the boundaries of an **incorporated city or village**.
- 3) The school board of any Class II, III, IV, or V school district would not be permitted to take action to close an elementary attendance center or to change the elementary grades offered at an elementary attendance center without the approval of at least **seventy-five percent of the school board** if;
- a) **At least ten students** who were either resident students or students residing within the boundaries of a former Class I district in school year 2005-06; **and**
 - b) The elementary attendance center is **at least four miles but less than ten miles** from the closest elementary attendance center within the district; or
- 4) Until the completion of the school year in which a **kindergarten student** from school year 2005-06 would complete the highest grade offered at the elementary attendance center, the school board would not be permitted to take action to close an elementary attendance center or to change the elementary grades offered if;
- a) At least ten students who were resident students or students residing within the boundaries of the former Class I district; and
 - b) At least one resident student has registered to attend such elementary attendance center as of August 1 immediately preceding the beginning of the school year for which the elementary attendance center would be closed or the grades offered would be changed.
- 5) Except when an elementary attendance center fails to meet the provisions of subdivision (4)(b) of this section, the school board shall not take action to close an elementary attendance center or to change the elementary grades offered at an elementary attendance center unless **public notice** has been given that the school board is considering such action on or before January 1 of the school year preceding the first school year for which the elementary attendance center would be closed or the grades offered would be changed.
- 6) The **temporary relocation** of some or all of the students to an alternate elementary attendance center for a period not to exceed two years shall not constitute the closing of an elementary attendance center or a change in the grades offered at such elementary attendance center.
- 7) Definitions:
- a) **Elementary attendance center** means a building in which education was offered by a school district in one or more of the grades kindergarten through grade four;
 - b) **Resident elementary student** means a student who will be attending school in an elementary grade in the school year in which the elementary attendance center would otherwise be closed or the grades offered would otherwise be changed and who resides within the boundaries of the school district which contains the elementary attendance center; and
 - c) **Resident student** means a student who resides within the boundaries of the school district which contains the elementary attendance center.

LB 30 includes both the severability clause and the emergency clause.

Explanation of amendments, if any:

Senator Ron Raikes, Chairperson